

February 7, 1975

PRESIDENT: Consideration of bills on General File.

CLERK: Senator Cavanaugh asked to be excused until he arrives. 17, yes Mr. President. Senator Marsh.

PRESIDENT: Senator Marsh. We're on LB 17, constitutional revision.

CLERK: Read bill.

SENATOR MARSH: Mr. President, and fellow members of the Legislature, when the original constitutional amendment was proposed for the voters of Nebraska the intent of the Legislature was to allow the Governor to have the authority to line-item various budget dollar marks to either remove or lower them, but the intent was that the Legislature would have the same right to override. However, in the original language which was passed by the voters of Nebraska inadvertently, we took away from ourselves the right which was intended to be. LB 17, which is a constitutional amendment, would be placed before the people of Nebraska to allow them to vote on whether or not the Legislature should have the same flexibility that we have already given to our Governor when he is either signing or line-item vetoing a budget document. For this reason, I move the advancement of LB 17 to E & R initial.

PRESIDENT: Senator Chambers.

SENATOR CHAMBERS: Mr. President, members of the Legislature, I just want to express support for this amendment. It will do away with the situation of having to accept all or nothing in terms of the Governor's veto. He can line-item say five items out of the budget, but the Legislature must override all five of those items or none of them are overridden. So all this amendment will do is allow the Legislature to take each item that the Governor vetoed and decide to override or support him in that veto. As Senator Marsh said, it gives to us a counter-flexibility to what has been granted to the Governor. I think it is fair and equitable and it will not diminish the Governor's power to veto at all, but it will give the Legislature an opportunity to consider each item individually.

PRESIDENT: Senator Clark.

SENATOR CLARK: Mr. President, members of the Legislature, I'm certainly in favor of this constitutional amendment. The reason I am, and I would assume the Governor would be also in favor of this type of amendment, because if he line-items ten items I know that last time there were things that I certainly would just as soon left vetoed, but there were a couple items that just could not be vetoed. Take money out of instruction at the University, and this type thing. So I have no choice but to go for an override of the whole thing. Consequently, it cost the taxpayers a lot of money. I think that the Governor would be able to save money if he did this. By line-iteming ten things and maybe just one thing in there really had to be in and that's what the Legislature wanted, but they'd had no choice but to go for all ten. I think it would be good for the Governor. I think it would be good for the Legislature. It would be good for the state of Nebraska and I certainly would support this amendment.